



**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA, ) CASE NO. M 14-00697

I.

- A. ( ) On motion of the Government in a case allegedly involving:

  1. ( ) a crime of violence;
  2. ( ) an offense with a maximum sentence of life imprisonment or death;
  3. ( ) a narcotics or controlled substance offense with a maximum sentence of ten or more years;
  4. ( ) any felony - where the defendant has been convicted of two or more prior offenses described above;
  5. ( ) any felony that is not otherwise a crime of violence that involves a minor victim, or possession or use of a firearm or destructive device

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1 or any other dangerous weapon, or a failure to register under 18  
2 U.S.C. § 2250.

3 B. (X) On motion by the Government / ( ) on Court's own motion, in a case  
4 allegedly involving:

- 5 1. (X) a serious risk that the defendant will flee;
- 6 2. ( ) a serious risk that the defendant will:
  - 7 a. ( ) obstruct or attempt to obstruct justice;
  - 8 b. ( ) threaten, injure, or intimidate a prospective witness or juror or  
9 attempt to do so.

10 C. The Government ( ) is/ ( ) is not entitled to a rebuttable presumption that no  
11 condition or combination of conditions will reasonably assure the defendant's  
12 appearance as required and the safety of any person or the community.

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## II.

15 A. (X) The Court finds that no condition or combination of conditions will  
16 reasonably assure:

- 17 1. (X) the appearance of the defendant as required.
- 18 (X) and/or
- 19 2. (X) the safety of any person or the community.

20 B. ( ) The Court finds that the defendant has not rebutted by sufficient  
21 evidence to the contrary the presumption provided by statute.

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## III.

24 The Court has considered:

- 25 A. the nature and circumstances of the offense(s) charged;
- 26 B. the weight of evidence against the defendant;
- 27 C. the history and characteristics of the defendant; and
- 28 D. the nature and seriousness of the danger to any person or to the community.

1 IV.

2 The Court also has considered all the evidence adduced at the hearing, the  
3 arguments and/or statements of counsel, and the Pretrial Services Report and  
4 recommendation.

5 V.

6 The Court bases the foregoing finding(s) on the following:

- 7 A. (X) The history and characteristics of the defendant indicate a serious risk  
8 that he will flee because of his transient status, his mental health and  
9 substance abuse issues, and his history of bench warrants and failures  
10 to appear.
- 11 B. ( X) The defendant poses a risk to the safety of other persons or the  
12 community because of: his prior criminal history, which includes  
13 multiple misdemeanor convictions; and the nature and seriousness of  
14 allegations in the present case.

16 VI.

- 17 A. ( ) The Court finds that a serious risk exists that the defendant will:  
18     1. ( ) obstruct or attempt to obstruct justice.  
19     2. ( ) attempt to/ ( ) threaten, injure or intimidate a witness or juror.

21 VII.

- 23 A. IT IS THEREFORE ORDERED that the defendant be detained prior to trial.
- 24 B. IT IS FURTHER ORDERED that the defendant be committed to the  
25 custody of the Attorney General for confinement in a corrections facility  
26 separate, to the extent practicable, from persons awaiting or serving  
27 sentences or being held in custody pending appeal.
- 28 C. IT IS FURTHER ORDERED that the defendant be afforded reasonable

1 opportunity for private consultation with counsel.

2 D. IT IS FURTHER ORDERED that, on order of a Court of the United States  
3 or on request of any attorney for the Government, the person in charge of  
4 the corrections facility in which the defendant is confined deliver the  
5 defendant to a United States Marshal for the purpose of an appearance in  
6 connection with a court proceeding.

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8 DATED: April 4, 2014

*Margaret A. Nagle*  
9 MARGARET A. NAGLE  
10 UNITED STATES MAGISTRATE JUDGE

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